



AIR WAR COLLEGE

RESEARCH REPORT

No. AU-AWC-85-075

THE SELECTIVE SERVICE SYSTEM:
A HISTORICAL PERSPECTIVE

By LIEUTENANT COLONEL DAVID P. HANDEL

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**AIR WAR COLLEGE
AIR UNIVERSITY**

**THE SELECTIVE SERVICE SYSTEM:
A HISTORICAL PERSPECTIVE**

by

**David P. Handel
Lieutenant Colonel, USAF**

**A RESEARCH REPORT SUBMITTED TO THE FACULTY
IN
FULFILLMENT OF THE RESEARCH
REQUIREMENT**

Research Advisor: Colonel Glenn T. Caldwell

MAXWELL AIR FORCE BASE, ALABAMA

May 1985

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AIR WAR COLLEGE RESEARCH REPORT ABSTRACT

TITLE: The Selective Service System: A Historical Perspective

AUTHOR: David P. Handel, Lieutenant Colonel, USAF

Starting with the Revolutionary War, there there have been nine wars or conflicts that the United States has used its' armed forces for a sustained period of time. Armies were raised through volunteers when possible; however, the first conscription act was passed in 1863, during the Civil War. There have been two major conscription acts passed since then, in 1917 and again in 1940. The purpose of this research effort is to present a historical review of conscription as it applied to each war or conflict that the United States participated in, the current registration law, and what might be required to increase military manpower should the United States enter a tenth war or conflict.

BIOGRAPHICAL SKETCH

Lieutenant Colonel David P. Handel (B.A., Loras College, M.A., Webster College) has served primarily in aircraft maintenance during his career. Following graduation from the Air Command and Staff College in 1978, Colonel Handel assumed command of the 89th Field Maintenance Squadron, Andrews AFB MD until March 1981 when he became Chief of Maintenance of the 605th Military Airlift Support Squadron, Andersen AFB, Guam. He returned to the United States and Andrews AFB in June 1982 to become Acting Assistant Deputy Chief of Staff, Logistics, Headquarters, Air Force Systems Command. Colonel Handel's interest in the selective service system began in 1966, when, the same day he received his induction papers for the Army, he received his acceptance papers to the Air Force Officers' Training School. Colonel Handel is a graduate of the Air War College, class of 1985.

CHAPTER I

INTRODUCTION

The recruitment of military manpower has been one of the most important issues in civil and military relations to the vast majority of the population throughout this country's history. Who serves in the armed forces, for how long, and for what reasons are key determinants of the military's role in a large society. The military draft was first implemented during the Civil War and with it started antidraft demonstrations and riots. Just prior to World War II, President Roosevelt's conscription plan met tremendous opposition in Congress. And then, during the most recent conflict in which the United States has been engaged, Vietnam, the opposition was extremely vigorous and sustained resulting in thousands of demonstrations, some packed with violence. In 1973, after intensive debate, the United States ended conscription by allowing the president's induction authority to expire. Almost two years later, the requirement for 18 year olds to register

with the Selective Service System also expired. (41:361)

However, less than seven years later on July 2, 1980, following the Soviet Union's invasion of Afghanistan and lengthy debates in Congress, funds were provided to implement registration for 18 year old male citizens and permanent aliens. Despite President Carter's repeated statements that he did not intend to seek congressional authority to begin inductions, protesters conducted antidraft marches and rallies throughout the country. To this date the law remains the same. (41:362)

Objective of the Study

To gain a greater understanding of and appreciation for conscription into the United States Armed Forces, a summary of its development by the Selective Service System since 1776 is essential. Thus, the major objective of this research effort is to present a historical review of conscription beginning with the Revolutionary War.

Organization of the Study

The historical information, to include the draft acts to

however, interest decreased after the War but Americans still did not concur with the Spanish misrule of Cuba. Uprisings in Cuba occurred in the 1870s and when conditions worsened in 1895, a revolution broke out with no end in sight. Spanish forces were not strong enough to suppress the uprising and the rebels were not powerful enough to prevail. Many Americans wanted the United States to intervene. (30:590)

In November 1897, President McKinley put pressure on Spain to grant Cuba limited self-government, which they did. The rebels, however, wanted nothing short of full independence and continued fighting. At the same time in Havana, pro-Spanish people rioted against self-government. To protect Americans in Cuba, President McKinley ordered the battleship Maine to Havana Harbor in January 1898 and, in February, it was blown up, killing some 260 people on board. The cause of the explosion was unknown but Americans blamed Spain. In April, Congress passed a joint resolution asserting Cuba as independent and authorized the use of the army and navy to force Spanish withdrawal. A few days later war with Spain was formally declared. (30:590)

then in any other war. Department of Defense records indicate 529,332 died: 364,511 in the North of which 140,414 were battle deaths and 224,097 dying from wounds and disease and 133,821 in the South of which 74,524 were battle deaths and 59,297 dying from wounds and disease. (4:235) Direct costs for the war are estimated to be more than \$3 billion for the North and over \$2 billion for the South. (32:23) When pensions, interest on the national debt, property value damage and freed slaves are added to this total, the cost probably exceeds \$15 billion. With the majority of the fighting occurring in the South, the worst damage was inflicted there. Homes, farmlands, railroads and many industries were destroyed. But, perhaps worst of all, was the bitter heritage of hate that resulted in the South and revengeful attitudes of some Northerners. (26:492)

The Spanish-American War

The Spanish-American War in 1898 marked the emergence of the United States as a world power. The prime issue in this war was the liberation of Cuba. Prior to the Civil War, American expansionists expressed hope in acquiring Cuba,

evaders, those urging opposition to the draft, and for confining known spies. Delinquent registrants were considered to be deserters and were court-martialed. Tremendous trauma resulted. By war's end, 38 officers of the Provost Marshal General had been assassinated, 60 had been wounded and 12 suffered severe property loss and damage to rioters. Riots were commonplace with the most famous being in New York City where, for one three day period, mobs controlled most of the city. To restore order took the might of ten New York militia regiments, 10,000 infantrymen, and three artillery batteries. (33:27-28)

The Confederacy, which started conscription in 1862, had its draftees serve one year as opposed to the nine months required in the Union. There were abuses caused by occupational exemptions which lead to discontent between the rich and poor. Groups that were exempted increased and many special interest people lobbied for more. Southern legislators enacted no better laws than their own Northern counterparts. (22:615)

As stated earlier, casualties totaled more in the Civil War

war was now "a rich man's war and a poor man's fight." (26:479)

Two draft calls were issued under this Act. The first was filled a month late and the second produced a mere fraction of the required quota. Public resentment followed. There was widespread resistance, corruption, substitution brokers, and professional deserters. The draft was perceived as a threat, as the states were made to appear that they lacked patriotism because they could not produce their required quotas. The war itself was not popular. It was viewed primarily as a struggle over differing concepts of federalism which many believed did not have to be resolved by war. (33:26)

The Provost Marshal General was assisted in each state and territory by Assistant Provost Marshals General who delegated responsibility for districts to a Provost Marshal and two board members, a physician and a commissioner of enrollment. These members determined who would be inducted and exempted. Compounding the District Provost Marshal's problems was the fact that , not only was he responsible for the draft, he was responsible for the apprehension of deserters,

between the ages of 18 and 45 years of age were to register, except for certain exempted classes; draftees were allowed to hire substitutes; and each county was the local draft jurisdiction unit. Riots in Wisconsin and the threat of violence in Pennsylvania and other states held up the actual implementation of the draft. The threat of it, however, encouraged enough men to volunteer. (22:615)

The Draft Act of 1863, the first federal recruitment of manpower for military service under the national direction of a Provost Marshal General, placed draft liability on men between the ages of 20 and 45 for a total of three years. This included all men between the ages of 20 and 35 but only unmarried men between the ages of 36 and 45. No married men could be drafted until all single men were enlisted. Two draft evasion practices were permitted: substitution, where a man could hire another to serve for him; and commutation, where a drafted man could pay the government \$300 to avoid military service. (22:615) The soldiers of the Confederate Army had to pay \$500 for the same right. This practice caused drafted soldiers to grumble that the

The Civil War

The Civil War took more American lives than any other war. It divided the people of the United states so badly that many times brother fought against brother, sometimes father against son. The Union or North consisted of 23 states and 7 territories while the Confederacy or South consisted of 11 states. The North had a population of approximately 22 million while the South had more than 9 million inhabitants of which approximately 3.5 million were slaves. (26:478)

At the war's beginning in 1861, neither government had a mobilization plan. The Regular Army of the United States totaled approximately 16,000 men, most of whom sided with the North. Both sides raised their armies with volunteers from the states who supplied them to the governments. Iowa and Missouri threatened the draft to encourage volunteering. A militia act passed in the North in 1862 was designed to force the states to conscript men in filling quotas. The Secretary of War established the draft provisions and the state governors conducted drafts through state and county officials. All men

bill by a vote of 40 to 2 and the House passed it by a vote of 174 to 14, there were dissenters who believed that the United States was flexing its might too aggressively. They believed the United States to be the aggressor, not the defender, as President Polk had announced in his declaration of war with Mexico. Others believed the primary objective of the war to be the extension of slavery over all of Mexico and South America. Newspaper editorials were written regularly denouncing the war. Some believe the dissenters were the prime reason peace was achieved in 1848. Others believe, that without dissent, the peace terms would have been much harsher and more of Mexico would have been taken. On the other hand, the war and dissent strained the nation sectionally; national political parties were replaced by sectional parties, and the Republican victory by Abraham Lincoln in the 1860 elections led to the secession of the Southern states. (16:39-63)

The Mexican War cost the United States \$71.4 million. (32:23) Some 78,178 people served in the armed forces. There were 17,435 casualties: 13,283 dead and 4,152 wounded. (4:236)

The war cost the United States an estimated \$90 million.
(32:23) Approximately 286,730 men served. Casualties totaled
6,765: 2,260 deaths and 4,505 wounded in action. (4:236)

The Mexican War

The Mexican War did not raise the conscription issue. An
outstanding volunteer response was triggered in part by
President Polk's announcement that Mexican soldiers had invaded
United states territory resulting in some American casualties.
The standing Regular army was augmented with one year
enlistees and militia enlistments were extended. Because the
militia could not be used outside the United States, little else
was done with them. Another reason conscription was possibly
not an issue was the President's belief that the war was not
going to last more than six to twelve months. It lasted longer
due to the inability of the United states to sustain forces in the
field. The Mexican Army could routinely regroup itself in trying
to stave off defeat while United States troops awaited replace-
ments for volunteers as their commitments expired. (33:24-25)

Despite the fact that the Senate passed the Mexican War

balked at being placed under command of officers from the regular army. They preferred to continue their custom of electing their own. (16:3,6)

Despite the anti-war sentiment displayed, the citizens of the United States rose to the occasion by locally manufacturing goods when they no longer could import from Great Britain. Also, those who did support the war increased the overall patriotic feelings of the United States and united her into one nation. An indirect result of the war was the later election to the Presidency of two men who emerged as highly decorated military heroes, Andrew Jackson and William H. Harrison. A second indirect result was the decline of Federalist power in New England. Leaders from five states met secretly to prepare demands upon the next session of Congress for constitutional amendments to protect New England interests from the South and the West. The states might have threatened to secede from the Union if their demands were ignored, but peace stopped the movement. Their opponents, however, upon learning of the secret session, charged them with plotting treason. (32:30)

War of 1812

In June 1812, Congress declared war against Great Britain because of interference with United States trade and the belief that the British had stirred up warfare with the Indians in the Northwest. (32:26) Although Congress had anticipated war for approximately seven months, no concrete preparations had been made. The regular army consisted of approximately 10,000 troops with very few trained officers. Of vital concern was the large majority of the populace that was opposed to the war. The declaration of war had passed in the Senate by only 19 to 13 and in the House of Representatives by 79 to 49. Eight out of ten New England senators and 11 out of 14 New York representatives voted against the war. The general belief was that the republic should not fight against the nation from which it had descended. The New Englanders were so adamantly opposed that they withheld both money and troops. Some of the justification for this was that almost all of the regular forces were departing the local area for the invasion of Canada leaving the New England coast defenseless except for militia. Also, the militia

During the Revolutionary War, American deaths were estimated to be 25,324, many caused by hardship and disease. The cost of the war to the United States has been estimated to be \$101 million. (32:23) Despite victory, the Americans had their problems. During the war, merchants sold imported goods and many farmers made enormous profits. Losses, to inflation, to destruction and plunder by armies, and disruption of trade, were inflicted on many families and at the wars end the government faced a number of public debts.

Following the Revolutionary War, the new republic developed a Constitution which was a result of many compromises. Conscription was left a cloudy picture. It was not until 1792, when Congress passed a Militia Act, that compulsory and universal military obligation with local militia organizations was placed on all free white male citizens between the ages of 18 and 45. (33:23) An amendment to this Act in 1795 limited active service to three months in any one calendar year. However, in many states, conscription was rarely enforced as many did not enroll with the militiamen. (22:615)

The Revolutionary War

Once the Revolutionary War started, it was fought by militias who enlisted for short terms and volunteers who were enticed to enlist by bounties. Some states, particularly Massachusetts and Virginia, found it difficult to raise and maintain a viable fighting force, and in 1777 resorted to a draft to meet the quotas established by the Continental Congress. Usually, this type of local draft consisted of an impartial drawing by lot from all eligible men on the militia muster roles excluding married men. Thus, the groundwork was laid for a draft for military service utilizing the principles of impartiality, selection by lot, and exemption for married men.

(22: 614)

Regardless of how the army was formed, there were continuing disorders triggered by lack of pay and poor provisioning. However, these problems did not force the implementation of conscription. Following the British surrender at Yorktown in 1781, the "minuteman" concept became the defense posture for the new United States of America.

CHAPTER II

1775 TO 1900

Prior to the Revolutionary war, colonists relied on the militia system for defense, a concept inherited from the English. The militias, composed of every able bodied man between the ages of 16 and 60, were required to possess arms, be carried on muster roles, periodically train, and be mustered into military service whenever required. Their compulsion was not likely to arouse much ire amongst the local populace because they were perceived as the defense for their homes and land. This inherited militia system formed the basis of the "minuteman" concept for defense (men who pledged to arm themselves and take to the battlefield at a minutes notice). The populace believed that a democracy could best defend itself by mobilizing local citizens rather than maintaining a standing army. A colony's militia, however, was seldom called out but when they were it was "more a combination of barbeque roast and whiskey-guzzling than anything else." (33:17-18)

form the armies, the dissension that surfaced, and the war results, pertaining to the Revolutionary War, the War of 1812, the Mexican War, the Civil War, and the Spanish American War are discussed in Chapter II. Chapter III explains the forming of the fighting forces for World War I, World War II, and the Korean Conflict, and the results of each. The Vietnam Conflict is discussed in Chapter IV, to include its cause, its results, and the dissension it caused throughout the United States. In Chapter V, the all-volunteer force following Vietnam is reviewed. The last chapter includes a summary of the draft acts in the United States since 1776, and the armed forces as they are today.

Though this research effort is limited to a historical, chronological review of the Selective Service System in the United States, it is the author's intent that the following information will bring a greater understanding of the thinking of both government officials and the citizens of the United States each time a conflict was close at hand.

During the period April through November 1898, 223,000 men enlisted in the Army in response to President McKinley's appeals for volunteers, but only about 87,000 left the United States. A total of 306,760 served in the Spanish-American War. There were 4,101 deaths among the soldiers and sailors who served, but less than 400 of these were killed in action or died of war related wounds. Disease caused more than 90 per cent of United States casualties. (4:236) The financial cost to the United States was approximately \$250 million. (32:23)

The war's first main battle was the destruction of the Spanish fleet in the Philippines' Manila Bay and the blockade of the harbor until American troops arrived; the second key military action was the blockade of Cuba by the navy and the siege of Santiago by the army; and the third, the occupation of the Philippines. In December, Spain granted Cuba independence and ceded Guam, Puerto Rico, and the Philippines to the United States. (30:590)

Though the Spanish-American War lasted but four months and was successful in the eyes of most Americans, the bloody

insurrection that followed in the Philippines caused bitter dissent. Additionally, an anti-imperialist sentiment surfaced in the United States among the many who were not happy with the nation's new position as a leading world power. They opposed the annexations fearing the risk of becoming involved in further wars and possibly facing competition from other nation's products and/or workers. They formed the Anti-Imperialist League in late 1898 to politically fight the treaty but failed in that attempt as the treaty was ratified by a two vote margin.

(16:86-90)

The anti-imperialists detested the insurrection in the Philippines and publicized alleged atrocities committed by Americans. They claimed Americans took no prisoners, burned villages, gunned down men women and children. On one occasion they accused Americans of shooting up a wedding party. The Philippine Insurrection lasted three years and cost more American lives than the Spanish-American War and an estimated 200,000 Philippine lives. (16:90-93)

CHAPTER III

World War I

World War I broke out in 1914 caused by: the nationalism of the major powers in Europe; the system of military alliances established to create a balance of power; the competition for raw materials, foreign exchange markets, new sources for food, and new regions to colonize; and secret diplomacy amongst senior people of the larger governments. The United States was determined not to enter the war. In 1915, the Germans attacked the ship Lusitania killing 128 Americans; however, President Wilson still believed the United States was not destined to enter the war but did set up expanded military training camps for volunteers. In 1916, Congress voted \$7 billion for national defense and increased the size of the Army. (32:365,374) Additionally, the National Defense Act was passed which organized the Army into the Regulars, the Volunteer Army, the Officers' Reserve Corps, an Enlisted Reserves Corps, and the National Guard - a federally obligated reserve of 425,000 answerable to state governors but subject to mobilization by

the President in the event of hostilities. The standing army was authorized 175,000 men with a possible war strength of 287,000. (8:56)

Early in 1917 the nation began to prepare for war. The President directed a draft law be prepared. On April 4, the war resolution was passed by the Senate 82 to 6 and two days later by the House 373 to 50. (19:8) On April 7, the day after war was declared, a bill commonly referred to as the "The Selective Service Law" was presented to Congress. A bitter 40 day debate followed alleging unconstitutionality, soldier slavery, and a belief that the nation could raise 500,000 men voluntarily before draft machinery could be functioning. Despite this initial opposition, the bill passed in May although anti-militarism and anti-conscription critics were still visible. However, Americans were believing in their country and their government. The strength of the militia system, that had been relied on before, had declined, and the beliefs of well respected individuals such as General Leonard Wood, Theodore Roosevelt and Henry Cabot Lodge, that America must be strong and

prepared to struggle for power on the international level, eased the acceptance of this latest public policy. (33:31)

One of the most important provisions of this Draft Act was Section 4 which authorized the President to create local draft boards consisting of at least three members, not associated with the military, to handle all exemption cases. There were 155 districts with a total of 4,648 local draft boards. (22:615)

The Draft Act limited the age of draftees from 21 to 31 which was later amended to 18 to 45, insured selective service from the beginning of a conflict, insured service for the duration of a conflict, and disallowed bounties, substitutes or purchased exemptions. Deferments for occupations were granted to shift men from nonessential to essential occupations. The Act differentiated among three occupations: first, shipbuilding and munitions manufacturing essential to war production; second, professions and trades that seriously affected the life of the nation; and last, harmful and non-productive employment. The Selective Service's goal was to shift people from the third occupation into the first occupation or into the Army and retain

the second group at the minimum number. Students under the age of 21 were relieved from active duty for three years to attend college. This provision set the first precedence of some type of deferment for students. On the first day of registration for the draft, June 5, 9,586,508 registered for the draft. A total of 24,234,021 men registered. (20:1-2) The first drawing of the lottery began on July 20 which rank ordered 10,679,814 men of which 2,758,542 were eventually inducted. (8:88)

On Armistice Day, November 11, 1918, the United States Army consisted of 3,670,000 officers and men. Conscription was discontinued. By June, 1919, the Army totaled less than 900,000. Believing that America had made the world safe for democracy, the Army was demilitarized to near extinction. Congress passed a new National Defense Act in 1920 reducing the Army to 280,000 regular enlisted forces for peacetime. In the early 1920s, as mistaken and confused concepts of the difference between preparedness and militarism surfaced throughout the nation, Congress further reduced Army authorizations to 175,000 by 1922. (8:93-94)

Although the United States was officially in Word War I for a little over 19 months, it mobilized 4,355,000 forces. Casualties for the United States totaled 320,518 - 116,516 killed, 204,002 wounded, and 4,500 prisoners of war or missing in action. (4:237) The total cost of the war exceeded \$337 billion, over \$34 billion spent by the United States, which included more than \$10 billion for advances to allies. (32:377)

World War II

Conscription was non-existent following the armistice in World War I until the passage of the Selective Training and Service Act of 1940, a bill which consumed 86 days of legislative debate to pass. The final votes for adoption in September 1940, were 47 to 25 with 23 not voting in the Senate and 233 to 124 with 2 indicating "present" and 71 not voting in the House. One year later an amendment extending military service under conscription was passed by one vote in the House. The authorized size of the Army was increased to 900,000. (8:97)

The Selective Service Act of 1940 used as its basis the

Conscription Act from World War I. Common features of both acts were the use of civilians in the local agencies, decentralized administration, national coordination, and administrative procedures developed at the local level. Four distinctive refinements were included in the new Act. They were: guarantee of reemployment rights to inductees within 90 days following completion of service; enforcement of the penal provisions of the Act by civil authorities vice military authorities; expansion of religious objector status; and authorization to the President to conscript industry to produce defense materials. (8:100)

The employment provision insured a valuable right to a draftee and insured counsel through the office of the United States District Attorney if an employer failed or refused to honor this provision. Only if an employer's circumstances changed dramatically to make it impossible or totally unreasonable to rehire a veteran, was he not required to. However, if this was the case, the employer had to assist in finding a civilian position of like seniority, status and pay.

This provision is recognition by Congress to ensure economic and employment security to those who served satisfactorily in defense of their nation. (8:100-102)

One of the most marked differences between the Act of 1917 and the new Act was enforcement. Under the old Act, failure to register and obstruction with the enforcement or administration of the process were misdemeanors punishable in civil courts. All other offenses, the most common being failure to report for induction, were Army violations and punishable by courts-martial. Interpretation was that, under the Act of 1917, a registrant was considered a member of the military upon expiration of the time he was required to report. Under the Act of 1940, only people who had actually been inducted could be tried by the military. (8:103)

One of the toughest problems facing the boards was determining conscientious objectors. Conscientious objector status was granted to members of pacifist churches only, and then only for combat duty. Members could still be required to serve in non-combat duties. The 1940 Act exempted "the sincere

objector who was concientiously opposed to war by reason of training and belief" from both combat and non-combat duties.

(8:104)

The mobilization of industry provision was the last distinct change from the previous two Conscription Acts. By this provision, the President was authorized to place orders for defense supplies and materials with any type of manufacturing industry. These orders took priority over all other orders the firm had at that time, and "compliance was obligatory under penalty of conviction for a felony." Fair and just compensation was guaranteed to the manufacturer, but in case there was refusal to comply, the government was authorized to immediately possess the manufacturing facility concerned. This provision recognized the goal of total mobilization for war, reassuring conscripted manpower that industrial facilities on the national level would also be subserviant to wartime requirements. (8:105-106)

Following the attack on Pearl Harbor by the Japanese on December 7, 1941, the United States entered World War II. In

1939, the United States had approximately 340,000 men in the armed forces. By wars end in 1945, there were over 12 million in uniform. In 1939, the United States had approximately 2,500 aircraft and over 750 warships. In 1945, there were over 80,000 aircraft and 2,500 warships in the inventory. (32:391) The war production of the United States was nothing short of phenomenal. Men and women mobilized to produce 296,429 aircraft, 86,333 tanks and 11,900 ships. Women worked in factories and plants as never before. By 1943, more than two million women were working in war machinery producing industries. In 21 key industries, officials discovered that women could perform the duties of 8 of every 10 jobs that had normally been done by men. (32:409)

Historians can only estimate the cost of World War II. Over 55 million civilians and military died. Total casualties for the United States were 1,218,828 - 407,318 dead, 671,801 wounded and 139,709 prisoners of war or missing in action. (25:529) The total cost of the war has been estimated at \$1,154,000,000,000 with property damage in excess of \$239

billion. The United States spent approximately 10 times more than it had spent on all other wars put together. The national debt rose from a 1940 figure of almost \$43 billion to a 1946 total in excess of \$269 billion. Many countries, including the United States, have been paying for the results of this war for many years in benefits to veterans. (32:411)

The Selective Service Act of 1940 expired in March 31, 1947 after two successive renewals. The first renewal came in May 1945, and was the means of keeping the Army strength for the invasion of Japan. The second renewal came in 1946 to insure military strength to combat Soviet aggression. After one year and the dwindling of the armed services to 1.4 million people versus the 2 million desired by the Defense Department, Congress enacted the Selective Service Act of 1948. This marked the first time Americans were drafted in peacetime. The provisions of the 1948 Act were basically the same as the Act of 1940 except the period of service was established at 21 months. All men between the ages of 18 and 26 were required to register. Men 18 years of age were allowed to enlist for one

year and avoid the draft by then serving in the Reserves for six years. High school students could continue in school until graduation as long as their classwork was satisfactory and college students could complete their current academic year. At the discretion of the President, people whose employment were in the best national interest, such as researchers, scientists, and doctors, could be deferred. Over 8 million men responded for the initial registration. The law was subsequently changed that men were required to register within five days after their 18th birthday. Some 30,000 men were inducted under the 1948 Act but as enlistment rates stabilized they were released after 12 of their 21 month obligation. (33:41) In January 1949, the armed forces achieved their required strength and draft calls were canceled.

Korea

In June 1950, when the draft bill was up for renewal, Communist North Korea invaded South Korea. Congress voted to extend the Selective Service Act of 1948 until July 1951 when it was succeeded by the Universal Military and Training Act.

There were significant changes which increased the available manpower for induction in this Act: deferments for married men were canceled; the age liability for military service was lowered from 19 to 18 1/2; active duty commitment was extended to 24 months with an additional six years in the Reserves; conscientious objectors could perform certain civilian tasks in lieu of military service; it extended to age 35 the liability of most men deferred after June 19, 1951; and deferment by law was granted to college students to the end of the academic year or until they ceased satisfactory progress, whichever came earlier. (22:616)

With the reinstitution of the draft came a growing concern for the shortage of scientists and other specialized personnel and, for the first time in history, draft deferments became a real issue. Numerous proposals for deferments surfaced with the following being adopted by the Selective Service System through Executive Order of the President. To maintain an uninterrupted flow of students through college, students were selected for deferments based upon their college performance

CHAPTER V

1973 TO PRESENT

During its first few years, the all-volunteer force did not attract a sufficient number of recruits. The first year, the Army fell short of its recruiting goals and from 1974-1978, even as force levels were being reduced, the entire military failed to meet its acquisition quotas by a few percentage points. (42:179) In 1979, the active military force was about 27,000 people short of the congressionally authorized strength of 2.1 million. This was considered serious, but was mostly a retention problem vice a recruitment problem. The shortage of noncommissioned officers in the Army alone was 46,000. The Navy was short 10,000 officers and almost 20,000 petty officers. Congress and the Carter Administration had allowed military pay and benefits to get so low that the patriotic people of the military literally could no longer afford to serve their country. Military base pay and allowances for housing and subsistence had declined more than 20 percent relative to the cost of living since the inception of the all-volunteer force in

military pay, almost doubling a basic recruit's salary. (2:12)

In 1973, the all-volunteer force became a reality. The last draft calls were issued in December 1972 and the president's authority to induct expired in June 1973. On April 1, 1975, President Ford suspended the requirement for registration; however, he retained the authority to reinstate registration if deemed necessary. To begin inductions, though, would require congressional action. In addition, the president cut the Selective Service budget by \$30 million, relegating the draft administration to standby status. It seemed at the time that the United States' long relationship with military conscription had come to an end. (41:361-362)

boards with having to make tough decisions on who should or should not serve and weakening the value system of a free society. The commission recommended three basic steps to attain an all-volunteer force: higher military salaries, improved conditions of recruiting and service and the establishment of a standby draft system. (2:11)

President Nixon accepted the major conclusions of the Gates commission and, in a message to Congress in April 1970, outlined steps, including military pay increases, to reach that objective. In 1971, the President announced further steps toward the goal of an all-volunteer force but also requested a two year extension to the existing draft law. The two year extension request was vigorously debated, but eventually enacted. However, anticipating the advent of the all-volunteer force, Congress amended the Selective Service Act. The amendment provided that selective service be maintained as an active standby organization, capable of immediate registration and operations, in the case of a national emergency and qualified personnel to do the same. Later in 1971, Congress increased

organizations, refused to fight or, in some instances, serve in the armed forces for a cause they believed to be unjust. Some have estimated that over 50,000 men deserted or dodged the draft, many going to Canada. (46:24) There was violence, the most well known being the shootings at Kent State University where four students were killed and nine wounded by National Guardsmen. Also, on the other hand, there was great concern for the morale of the troops who were fighting the war, because the people back home were not supporting them. "End the war" and "ban the draft" were the cries of the day from the draft eligible people and numerous college age supporters.

Support for an all-volunteer force began to catch momentum and in 1969, President Nixon appointed an advisory commission on an all-volunteer armed force headed by former Secretary of Defense Thomas S. Gates, Jr. to head the commission. Their report to the President in 1970 unanimously recommended establishment of an all-volunteer armed force. They cited the draft as being costly, inequitable, placing heavy burdens on a small minority of young men, burdening draft

studies conducted on selective service, the new law did not represent any great departure from previous laws. The most significant difference was the more specific language of the new law. The language relating to conscientious objectors was changed to "more narrowly construe the basis for classifying registrants as conscientious objectors." Presidential power to initiate a random selection system was taken away and changes were initiated in the enforcement procedures. In sum, the draft inequities remained but the flexibility under the previous laws was gone. (14:92-93)

The draft was not the major problem of the late sixties. For the first time in history a war was brought to people's homes in living color via television. This different type of war, where there were no front lines, where there seemed to be no goal to win, breded discontentment in the United States. Major demonstrations against United States participation in the war were held at hundreds of colleges and universities. Never before in the history of the United States had there been such anti-war sentiment. Young Americans, supported by various peace

were estimated by the United States to be 925,000 killed and more than two million wounded. (28:112b)

The general unpopularity of the Vietnam War, the escalation of the conflict in 1965 and the militancy of students throughout the country brought the Selective Service system under fire. The system was scrutinized. In June 1966, the House Armed Services Committee conducted lengthy hearings on the subject. Next, the President established a National Advisory Commission on Selective Service. In November 1966, the House Armed Services Committee appointed a Civilian Advisory Panel on Military Manpower Procurement.

In March 1967, President Johnson proposed that Congress enact a four-year extension of the authority to induct men into the armed forces. His proposal included a number of reforms to the existing law to make it more equitable to young men and stated that he preferred an all-volunteer force but that it was not feasible because it could not rapidly respond and was too expensive. On June 30, 1967, the President signed into law the Military Service Act of 1967. Despite the many hearings and

In January 1973, a cease-fire agreement was signed between the United States, North Vietnam, South Vietnam and Viet Cong. The first prisoners of war were released on February 12, 1973 and the last on March 29, 1973, the day the last United States combat troops left South Vietnam. The cease-fire was violated by the South and North Vietnam and the Viet Cong, who continued to fight. The end of the war came in 1975, when, after a series of setbacks and the Communists gaining approximately two-thirds of South Vietnam, the South surrendered. Cambodia and Laos also fell to the Communists in 1975 and the next year the Communists united the north and the south into one Vietnam. (31:293-294)

As of this date, there are 58,022 names of those killed in the Vietnam War etched in granite on the Vietnam Memorial in Washington, D. C. There were over 300,000 personnel wounded and over 780 missing in action. (31:294) The direct dollar cost to the United States was \$140,857,000,000. (32:23) Up to the fall of Saigon in 1975, South Vietnamese casualties totaled 254,257 killed and 783,602 wounded. Communist casualties

announced the first withdrawals of United States forces from Vietnam saying they would be replaced by South Vietnamese forces. This started the policy of "Vietnamization." Meanwhile, in the United States massive anti-war demonstrations were taking place. (31:292j-293)

In April 1970, United States and South Vietnamese forces invaded Cambodia to attack North Vietnamese supply depots. The President stated this action would bring an end to the war and save the lives of United States forces. The populace, however, believed he was expanding the war. This was followed by more and more anti-war demonstrations. (6:380)

In March 1972, North Vietnam launched a massive offensive into South Vietnam causing the South to retreat and lose much ground. In May, President Nixon ordered the bombing of harbors in North Vietnam to cut off supplies from the Soviet Union and China. At the same time the bombing of the resupply network in country was stepped up and by September the Communist offensive was stopped. United States troop withdrawals continued throughout 1972. (31:293)

choose between allowing the South Vietnamese government to collapse or increase its support. At this time, the United States had approximately 750 military advisers in Vietnam and President Kennedy ordered a step-up in military aid to include more advisers, technicians, pilots and aircraft. By February 1962, approximately 2,700 United States advisers were present and by November 1963, when President Kennedy was assassinated, there were almost 16,350 United States military personnel in South Vietnam. (31:292i-292j)

In March 1965, President Johnson ordered United States Marines into Vietnam, for the first time, to protect United States bases there. In 1966 and 1967, the fighting in Vietnam increased and the Viet Cong strength continued to grow. In 1968, the Vietnam War became the longest war in which the United States had ever been involved and the it had committed approximately 550,000 troops. (6:381) By March 1969, more United States troops had been killed in combat in the Vietnam War than in the Korean War and the American populace was getting impatient for the war to end. In June, President Nixon

year group, presumably because of the deferment incentive, an Executive Order was issued on August 26, 1965, stating that registrants married after that date would no longer be placed in a lower order of draft call. (15:553) This author's college graduating class was 1965. August 26 of that year was a Friday. He witnessed one peer and knows of two others who were married at their wedding rehearsals on Friday night so their marriage certificates would be dated August 26 and they would qualify for the lower order of draft call. They then went through the motions of their weddings the next day, their regularly scheduled wedding day.

Meanwhile, the on-going War in Vietnam had a tremendous effect on the Selective Service System in the United States and the morale and attitudes of the population. The War began in 1957 when forces supported by North Vietnamese Communists, known as Viet Cong, attacked South Vietnam and its government officials. They called the struggle a "war of national liberation" and their goal was to unite the two Vietnams. By 1961, they became so successful that the United States had to

CHAPTER IV

1960 TO 1973

The Universal Military and Training Act hearings took place again in 1963. A Defense Department spokesman stated that all registrants qualified and "available" in the most accessible classification were being inducted. The concern discussed at length, however, was a growing availability of surplus manpower and an awareness that liberal deferments could only partially cope with it. The Act was renewed for another four years with very little or no opposition expressed by Congress or any significant segment of the population. Also, the Defense Department elected to proceed with a study on Selective Service and military manpower needs which began in February 1964.

Vietnam

President Kennedy showed his concern in the fall of 1963 when available inductees reached a peak, by placing childless married men in an order of induction after single men, thus giving them a deferred position. After two years experience, resulting in the accelerated marriages of the largest inductee

responsibility for selecting men eligible to enlist." Critical skill enlistees had to enlist for three to six months of active duty training and then served in the Reserves for an eight-year enlistment. This program was discontinued in 1963. A six months program was also established. Men could join a Ready Reserve unit before they reached the age of 18 1/2 and before they had received induction orders. They received an eight-year commitment of which three to six months had to be spent on active duty for training. In 1957, this program was made available to men over 18 1/2 years of age and proved of great benefit to the Reserves. (12:45-46)

The Universal and Military Training Act was renewed in 1959 after lengthy discussions and hearings but of which final passage was never in doubt.

United Nations countries: 3,194 deaths, 11,297 wounded and 2,769 prisoners or missing in action. The Chinese and North Koreans' casualties totaled approximately 1,591,000, 1,267,000 dead and 124,000 prisoners or missing personnel. The United States spent close to \$67 billion on the Korean War providing more than 90 per cent of the troops, equipment and supplies for the United Nations forces. The war ended on July 27, 1953 when a truce was signed between the United Nations and North Korea, but to this day a permanent peace treaty has never been signed.

(27:304)

The Universal Military Training and Service Act was extended until July 1, 1959. The one key change was the authority to induct men who had not acquired extended liability through extended deferment. A very significant lesson learned from the Korean War was that the Reserves were not adequate to meet an aggressive challenge. President Eisenhower advocated a Reserve Forces Act which would provide a large reserve force. The most important provision of this act provided for a critical skills Reserve program with local boards assigned the

and a test administered by the Selective Service System. After graduation, students were given a four month period to find employment considered essential to the nation's interest and, if they did not, they were ineligible for further deferment and were inducted. (12:44-45)

During the Korean War more than 1.5 million men were inducted into the armed forces. The United States lost more than 2,000 aircraft and 5 ships with damage to an additional 82 ships. Over one million Korean civilians died and almost all parts of Korea was heavily damaged. Statistics were never made public for civilian deaths and damage to North Korea. Military casualties for the United Nations Command totaled 580,135. South Korea suffered 400,167 of these casualties: 58,127 died, 175,743 were wounded and 166,297 were listed as prisoners or missing in action. The United States' casualties were 162,708 of which 54,246 were deaths (33,629 were killed in action and 20,617 died of wounds or disease), 103,284 were listed as wounded and 5,178 were prisoners of war or missing in action. The remaining 17,260 casualties were from 15 other

1973. In 1979, the average compensation for enlisted personnel was \$9,900. The Bureau of Labor Statistics estimated in that year that an income of \$11,546 was required for a family of four to maintain a "lower level" standard of living. (45:66) These shortfalls alone convinced many people that the draft should not have been terminated. Enhancement of the nation's military preparedness for an emergency was the most common plea to revive the draft. Some believed that the Army was becoming a poor man's organization, with high rates of attrition, drug abuse, and absences without leave. Others believed that the Army had too many blacks because the enlisted population totaled one-third of the force versus 11 percent of the country's population. (49:50)

In January 1980, President Carter, in response to the Soviet Union's invasion of Afghanistan in December 1979, announced a United States boycott of the 1980 Olympic Games that were held in Russia, an embargo on exporting grain and high-technology equipment to the Soviet Union, and a reinstitution of draft registration in the United States. He

**announced that he was committing the United States to defend its vital interests in the Persian Gulf by "any means necessary."
(41:364)**

The reinstitution of draft registration was a shift in the President's Administration Policy, but he believed that registration would increase the preparedness of the United States, assure the ability to respond, and show that resolve was present. This measure triggered the reactivation of antiwar groups. Antiregistration rallies took place throughout the country, the largest at the University of California at Berkeley where 2,500 participated. By mid-February , public opinion polls indicated that on many college campuses approximately one half the student body opposed registration. However, 83 percent of the American population favored registration. By June, a 1980 Gallup poll reported that 80 percent of the American population favored registration, with 66 percent of the draft age population favoring registration. Additionally, 58 percent nationwide favored returning to conscription, but only 37 percent of the draft-age population. (41:368-369)

The first mass draft registration was accomplished between July 21 and August 3, 1980 when men born in 1960 and 1961 were required to register. The General Accounting Office (GAO) reported that over 3.6 million registered and less than 1,000 fraudently registered. In September, the Selective Service announced that 93 percent of the draft eligible population had registered. In December, the GAO released a report that 91 percent complied and almost 350,000 had failed to register. Whichever figure is accurate, a greater percentage of young men had failed (and continue to fail) to register since 1980 than during the peak anti-Vietnam protests. Registration for the 1962 group was conducted the week beginning January 4, 1981. There were only small and mild protests during both registrations. Following this second mass registration, men have been required to register within 30 days of their 18th birthday. Compliance did not increase with the month-by-month registration process. In April 1982, the GAO reported that approximately one-third of those men required to do so had not registered in the first nine months of 1981. (41:370)

When campaigning for the presidency, President Reagan stated he was against a peacetime draft and sharply criticized President Carter's peacetime registration. His main campaign theme was that the problems of the all-volunteer force would not be solved by a return to the draft but by improving pay and increasing benefits. A year after taking office, however, the President's viewpoint changed. The Military Manpower Task Force that he had appointed concluded that registration could save "as much as six weeks in mobilizing emergency manpower." That fact alone convinced him that registration should be continued. During a briefing session the president replied to a question on reinstating conscription by saying: "I would have to hark back to the days preceding World War II and there for the first time we instituted a peacetime draft. But the rest of the world was at war; the whole world was going up in flames."

(41:365)

Statistically, the all-volunteer force can be deemed a success as the military has exceeded its recruiting quotas goals in 1981 and 1982. As for quality, the Pentagon announced in

1982 that a higher percentage of recruits are in the top three mental categories (average and above) and have high school diplomas. (45:48) Although reluctant to mention the record-high civilian unemployment rates as a key reason for improved recruiting years, they have warned that a combination of lower unemployment and a decrease in the number of high school-aged American youths would make recruiting more difficult. Army economists, however, determined in 1982 that a one percent decline in unemployment would reduce the enlisted force by 8.8 percent a year unless pay, allowances, and/or incentives were utilized to offset the lure to civilian employment. Other services would suffer slightly lower drops but not to the degree of the Army. (50:3) The Marines are recruiting quality at an all time high resulting in recruits who can be enlisted for longer terms, attrite at lower rates prior to their normal expiration of active service, and are more reenlistable. (48:33)

The concern is with the future. Will the all-volunteer force be able to continue to be a success? Only time will tell. The recruiting pool will decline. At the end of this year, there

are estimated to be 1.8 million 18 year olds, down from 2.1 million in 1980. In 1995, there are estimated to be only 1.6 million 18 year olds. Of the 1.8 million in 1985, approximately 25 percent will not meet screening standards to enter the military. Of the remaining 75 percent, approximately half will attend college without even considering military service. This will leave an estimated 670,000 qualified 18 year old males for the recruiters to pursue in 1985. (38:275)

To some there is concern that the all-volunteer force is too black. It is true that there is a significant increase in the percentage of blacks, particularly in the enlisted force, which has caused the military to be "unrepresentative" of the general population. It is possible that the current trends of the all-volunteer force reflect the attitude of the American majority towards involvement in the military. Since the draft ended, the military has not attracted a cross section of the white population which might suggest that the American people have to some degree deemphasized standards like duty, responsibility, and dedication and are opting for an attitude of

letting someone else serve in the military. The blacks see the military as an opportunity, have done well in it, and, using normal standards, the percentages of blacks will probably continue to increase in the all-volunteer force. (44:73)

A great concern regarding the capabilities of the all-volunteer force was expressed by General Bernard Rogers, Supreme Allied Commander, Europe, when he said: "If the United States had to go to war today in Europe, the army would run out of trained infantrymen, artillerymen, tankers, and combat medics before the draft would take over. That is a hell of a position for the greatest country in the world." (38:274)

To retain the all-volunteer force, the services are starting to spend extra money. The Army will pay a \$5,000 signing bonus, enroll volunteers in the Army college fund and make them eligible for up to \$9,000 to reenlist. The Navy, to acquire officers for nuclear powered ships, will pay \$3,000 for initially joining, another \$3,000 when training is completed, \$6,000 annual incentive pay, and up to \$28,000 continuation pay. The total cost of these programs is unknown but an estimate by the

Department of Defense, which includes recruiting expenses, approaches \$2 billion. But what is the alternative, the draft. And some say the draft will cost more than this. (50:B1)

The plan for the future is to retain the all-volunteer force and continue registering young men within 30 days of their 18th birthdays. The reserve forces will also be strengthened. The Army's mix in 1989 will be approximately 49 percent active, 31 percent Guard, and 20 percent Reserve. This is a change from 1983 of 53 percent active, 28 percent guardsmen , and 19 percent reservists. The Navy will decrease active forces to 81 percent in 1989 from 84 percent in 1983, the remainder in the Reserves. The percentage of the Air Forces will remain about the same at 78 percent active, 13 percent Air Guard, and 9 percent Reserve. The actual numbers will increase across the board due to the accessions of new weapon systems. Few changes are planned for the Marine Corps. (47:20-21)

The question to be asked is: how much manpower is enough? Will the all-volunteer force provide the required manpower in sufficient time if the United States should go to

war again? It is the author's belief that if the national will of the nation is strong and supports the cause, it is highly probable that the nation's leaders will have little problem strengthening the armed forces even if they must return to conscription.

There is much talk of the "total force" today but that will not provide large quantities of personnel that were required in the past to fight large, sustained wars.

I believe we will implement a draft, if required. There will be dissenters, draft dodgers, conscientious objectors, and deserters, however, not in the numbers witnessed during the 1960s and 1970s. As in the past, if the American people view a potential conflict or war as in their best interests, the younger generation will answer the call to arms and be supported by those who remain at home. If the potential conflict is not viewed in their best interests, government officials can expect heavy resistance should it attempt to raise a significantly large armed force through the induction process.

CHAPTER VI

SUMMARY

The United States of America has been involved in five wars that have been declared by Congress in the almost 209 years of its existence: War of 1812, Mexican War (1846-48), Spanish-American War (1898), World War I (1917-18) and World War II (1941-45). The Civil War (1861-66), the Korean Conflict (1950-53) and the Vietnam Conflict (1957-75) were were never approved by Congress.

Prior to the Revolutionary War, to raise manpower for its armies, the colonists relied on the militia system for defense, a custom inherited from the English. However, once the Revolutionary War started, some states resorted to a draft to meet quotas that were established by the Continental Congress. In most instances, this local type of draft consisted of an impartial drawing by lot from all eligible men on the muster roles excluding married men. This laid the groundwork to draft men into military service utilizing the principles of impartiality, selection by lot, and exemption for married men.

The United States has found it necessary, in the course of its history, to adopt conscription as the means to raise military manpower in three of the wars in which it has participated: in the Civil War the Conscription Act of 1863; in World War I the Selective Draft Law of 1917; and in World War II the Selective Training and Service Act of 1940. In each instance, Congress enacted draft legislation dictated by the national policy principle that "our national ideal of freedom.....is based on the premise that individual and national liberty is enhanced, rather than destroyed, by compelling military service for defense of the nation." (B:X)

During the times each of these legislative actions were adopted, armies were raised in sufficient numbers to meet the nation's commitment. This does not mean opposition to implementing this means of raising armies was stagnant. However, each time conscription was challenged in court, the challengers were defeated as, on each occasion, conscription was upheld as being a legal manner in which to raise armies for the common defense of a nation. The opposition was always a

minority as the majority of the nation rallied behind the President and supported him in his wartime efforts. This was particularly true in both world wars. The long conflict in Vietnam, however, was different and had a tremendous effect on the Selective Service System and the morale and attitudes of the population.

The Vietnam Conflict was generally unpopular and the escalation of the conflict in 1965, coupled with the militancy of the students, brought conscription under heavy fire. The system was closely scrutinized. Presidents Johnson and Nixon had major studies of the Selective Service System conducted during their tenures as president and in 1971 it was announced that an all-volunteer force would be established. In 1973, this concept of raising an army became a reality in the United States. The last draft calls were issued in December 1972 and the president's authority to induct expired in June 1973. On April 1, 1975, President Ford suspended the requirement for registration but retained the authority to reinstate registration if he deemed it necessary.

In January 1980, President Carter, responding to the Soviet Union's invasion of Afghanistan in December 1979, reinstituted draft registration. This was a shift in his administration policy but he believed registration would increase the military preparedness of the United States. President Reagan, while campaigning for the presidency, denounced peacetime draft legislation. However, after learning that at least six weeks would be saved in mobilizing emergency manpower, he was convinced that registration should be continued.

The all-volunteer force has been a success, if one deals strictly with numbers. Quotas have been met by recruiters, but some will counter that there are too many women and too many blacks. The too many blacks concern was surfaced because the figure in the military is not representative of the population as a whole. The real question to be asked, however, is: will the all-volunteer force be responsive to the needs of the president and the nation if the military is required to bear arms or will we be required to return to the draft?

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